


**TRANSMITTAL
FORM**

(To be used for all correspondence after initial filing)

Mail Stop **Commissioner for Patents**

Application Number	10/524,302
Filing Date	February 4, 2005
International Appl. Number	PCT/EP03/08298
International Filing Date	July 28, 2003
First Named Inventor	Stephan Schwers
Art Unit	Unassigned
Examiner Name	Unassigned

Attorney Docket Number **1300-0014**

ENCLOSURES (Check all that apply)

No fee due
 Fee(s) due: \$ 580
 Check enclosed
 Charge Deposit Account No. 18-0580
 37 CFR § 1.16
 37 CFR § 1.17
 The Commission is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 18-0580
 Return postcard
 Amendment/Response
 After Final
 Affidavits/declaration(s) - Affidavits/declaration(s)
 2-Month Extension of Time

Terminal Disclaimer
 Information Disclosure Statement & PTO-1449 Form(s)
 Cited reference copy(ies)
 Response to Notification of Missing Requirements
 Declaration and Power of Attorney for Patent Application
 Preliminary Amendment
 Drawing(s) - Sheets
 Compact Disk(s) - CD(s)
 Petition
 Power of Attorney & Address Indication Form

Revocation of & New Power of Attorney, Address Indication Form
 Request for Refund
 After Allowance Communication to a Technology Center (TC)
 Appeal Communication to Board of Appeals and Interferences
 Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
 Other Enclosure(s) (see remarks):

Claim Count

Total Claims	19	Extra Claims	0	New Claim No.	0
Independent Claims	3	- 3 =	0		0

REMARKS

- A copy of Notification of Missing Requirements
- An Amendment in Response to the Notice
- A paper copy of the Sequence Listing
- A computer-readable copy of the Sequence Listing
- A Supplemental Application Date Sheet

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual Name (print/type) **Karen Canaan, Reg. No. 42,382**
Reed Intellectual Property Law Group

Telephone **(650) 251-7700**

Signature

Date **November 16, 2005**

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Name (print/type) **Yesenia Garcia**

Signature

Yesenia Garcia

Date **November 16, 2005**



Atty Dkt No. 1300-0014
Bayer No. LeA 36 234-US
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Stephan SCHWERS et al.

Serial No.: 10/524,302

Confirmation No.: 6176

U.S. Filing Date: February 4, 2005

Group Art Unit: Unassigned

International Application No.: PCT/EP03/08298

Examiner: Unassigned

International Filing Date: July 28, 2003

Title: GENETIC POLYMORPHISMS SENSITIVELY PREDICTING ADVERSE DRUG REACTIONS (ADR) AND DRUG EFFICACY

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. § 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE AND REQUEST FOR EXTENSION OF TIME

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notification of Missing Requirements dated August 11, 2005, transmitted herewith for filing are the following documents:

1. a copy of the Notification of Missing Requirements;
2. a Declaration and Power of Attorney for Patent Application;
3. an Amendment in Response to the Notice Under 37 C.F.R. §§ 1.821-1.825;
4. a Statement to Support Filing and Submission in Accordance with 37 C.F.R. §§ 1.821-1.825;
5. a paper copy of the Sequence Listing pursuant to 37 C.F.R. § 1.821(c);
6. a computer-readable copy of the Sequence Listing pursuant to 37 C.F.R. § 1.821(e);
7. a Supplemental Application Data Sheet
8. a check in the amount of \$580 to cover the required fees (surcharge \$130 and two-month extension of time \$450).

Pursuant to 37 C.F.R. §§ 1.821(c), (e), and (g), applicants submit the paper copy and computer-readable copy of the Sequence Listing are identical and that this submission does not introduce any new matter into the application.

11/28/2005 GFREY1 00000090 10524302

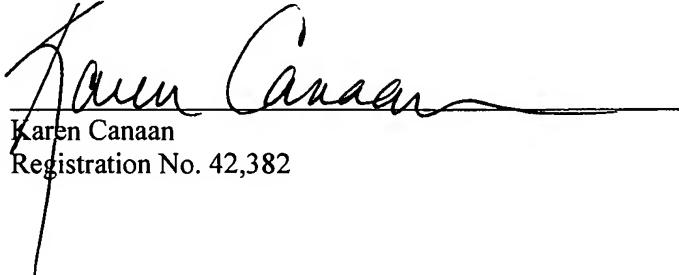
01 FC:1617
02 FC:1252

130.00 OP
450.00 OP

The Commissioner is hereby authorized to charge any additional fees under 37 CFR §§ 1.16, 1.17 and 1.21 which may be required by this paper, or to credit any overpayment, to Deposit Account No. 18-0580.

Respectfully submitted,

By:


Karen Canaan
Registration No. 42,382

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UNITED STATES PATENT AND TRADEMARK OFFICE



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 United States Patent and Trademark Office
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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/524,302	Stephan Schwers	1300-0014

23980
 REED INTELLECTUAL PROPERTY LAW GROUP
 1400 PAGE MILL ROAD
 PALO ALTO, CA 94304-1124

RECEIVED

AUG 16 2005

REED IP LAW GROUP

CONFIRMATION NO. 6176

371 FORMALITIES LETTER



OC000000016719934

Date Mailed: 08/11/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 02/04/2005
- Copy of the International Search Report filed on 02/04/2005
- Copy of IPE Report filed on 02/04/2005
- Oath or Declaration filed on 02/04/2005
- Copy of references cited in ISR filed on 02/04/2005
- U.S. Basic National Fees filed on 02/04/2005
- Priority Documents filed on 02/04/2005

8/16/05
 KC
 DOCKETED
 Signed Recd.
 Sequence Listing
 Amendmt of Seq. listing }
 10/11/05

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.16(f) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- \$130 Surcharge.

- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment specifically directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

DARRELL C COTTMAN

Telephone: (703) 308-9140 EXT 203

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.

10/524,302

INTERNATIONAL APPLICATION NO.

PCT/EP03/08298

ATTY. DOCKET NO.

1300-0014

FORM PCT/DO/EO/905 (371 Formalities Notice)